

MINUTES

NATURAL RESOURCES COMMISSION

**HOLIDAY INN
1005 PERRY AVENUE
BIG RAPIDS**

JULY 6, 2006

PRESENT FOR THE COMMISSION

Keith Charters, Chair
Bob Garner, Vice-Chair
Mary Brown
Darnell Earley
John Madigan
Frank Wheatlake

ABSENT FOR THE COMMISSION

Jerry Hall

PRESENT FOR STAFF

Becky Humphries, Director
Dennis Fox, Chief of Staff
Dennis Fedewa, Chief Deputy
Mindy Koch, Resource Management Deputy
Jim Ekdahl, UP Field Deputy
Other DNR Staff

COMMITTEE OF THE WHOLE

Chairman Charters called the Committee of the Whole meeting of the NRC to order at 3:02 p.m.

Chairman Charters thanked Commissioner Wheatlake for his hospitality and for hosting this meeting in his home town. He noted that the Commission and staff toured the Big Rapids Riverwalk. This Riverwalk is relatively new and was partially funded with a grant from the Michigan Natural Resources Trust Fund.

Chairman Charters recognized **Representative Darwin Booher**.

DIRECTOR'S REPORTS

Legislative Update

Rodney Stokes, Legislative Liaison, reported on the following legislative bills:

- **HB 5192** – Hunting Age Bill
- **SB 1105** – Apprentice Hunting License Bill
- **HB 6110** - Renaming the White Pine Trail State Park

- **SB 971 and SB 972** – Changes the way the DNR can dispose of state park and recreational lands
- **HB 6245** – Amends the Privately Owned Cervidae (POC) Producers Marketing Act (Act 190).

Natural Resources Trust Fund - 30th Anniversary Celebrations

Director Humphries noted that there will be three Natural Resources Trust Fund Anniversary Celebrations throughout the state. The first is on July 18, 2006 in Traverse City; the second is on August 8, 2006 in Farmington Hills; and the third is on August 18, 2006 during the UP State Fair in Escanaba.

DIRECTOR ACTION ITEMS:

Oil and Gas Lease Auction

Lynne Boyd, Chief, Forest, Mineral and Fire Management Division, summarized the results of the June 6, 2006 Oil and Gas Lease Auction. Seventy-three percent of the offered acreage was leased. Initially, all parcels were offered at a minimum bid of \$13.00 per acre. There were 207 parcels with no bid at the close of the \$13.00 minimum bid offering. Twenty five percent (52 parcels) of no bid parcels were reoffered at \$5.00 per acre. Eleven parcels (719.22 acres) were successfully bid at \$5 minimum. Mineral rights included in this auction were nominated in December 2005 and January 2006.

Land Transactions

Chairman Charters discussed the Purchase of Tax-reverted Land under Act 123, P.A. 1999, State Forest Trail Acquisition, Gaylord Forest Management Unit-Cheboygan County Trailhead. He said that, recently, the Michigan Natural Resources Trust Fund Board opened the Mullett Lake stretch of trail to motorized vehicles, which will likely bring business into the area. In addition, the DNR is purchasing the trailhead and will make payments in lieu of taxes (PILT) on this property, which will also generate revenue to the area. **Commissioner Wheatlake** suggested purchases that will generate business in areas, should be exempt from PILT. **Ed Meadows, Office of Land and Facilities**, noted that Act 123, P.A. 1999, indicates that the State has first rights of refusal on purchasing properties. If the State opts not to purchase, the property goes out for auction. There is no discretion for the local government to decline receiving taxes. However, Cheboygan County does have the option to gift the parcel to the DNR. Discussion ensued.

Commissioner Madigan commented that Land Transaction Case #20010073, State Forest Land Exchange, Gift Acceptance and Transfer of Jurisdiction, Newberry forest Management Unit – Luce County, was a good transaction because it consolidated State forest property.

PROJECT GO-FREE FISHING WEEKEND

Director Humphries reported that Project GO-Get Outdoors was held June 10-11 to coincide with Free Fishing Weekend. Nearly 80 locations across Michigan held events to help encourage people to “GO-Get Outdoors” and enjoy Michigan’s natural resources. Trail runs, sand sculpting contests, geo-caching treasure hunts, guided nature hikes, and even movies on the beach at Grand Haven State Park were amongst the events held.

Many locations took advantage of the connection with Free Fishing Weekend. More than 30 fishing derbies introduced young people to fishing.

The DNR's Marketing Innovations Team is developing a very exciting program for 2007 Project GO—97 Days, 97 Ways to GO-Get Outdoors. More details about the 2007 program will be presented at a future date.

AWARDS

Alan Marble, Chief, Law Enforcement Division, recognized Sergeant Scott Wilk and congratulated him on recently receiving the Safari Club International Conservation Officer of the Year Award.

Director Humphries acknowledged and congratulated DNR Employees who received 2006 Michigan United Conservation Club (MUCC) Awards. Following is the list:

- Forest Conservationist: Dennis Nezich
- Conservation Officer of the Year: Danny Walzak
- Special Conservation Awards went to DNR's Wildlife Action Team: Cara Boucher, Patrick Brown, Liz Hay-Chmielewski, Karen Cleveland, Amy Derosier, Amy Clark Eagle, Matt Herbert, Patrick Lederle, Raymond Rustem and Gary Whelan, all from the DNR and Harold Glassen from the Mecosta County Rod and Gun Club

Chairman Charters commended the Wildlife Action Team for a great job done.

Commissioner Garner introduced, Don Meixner, newly appointed President of MUCC.

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The Committee of the Whole meeting adjourned at 3:41 p.m.

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The Public Appearance portion of the meeting of the Natural Resources Commission convened at 3:41 p.m.

Representative Darwin Booher welcomed the NRC to his district and thanked the NRC for holding the meeting in Big Rapids.

Jim Maturen, Michigan Wild Turkey Hunters Association, commented on several items as follows:

- He opposed the proposed Director's action item, State Forest Land Exchange, Gift Acceptance and Transfer of Jurisdiction, Luce and Presque Isle Counties, Land Transaction Case #20010073.
- He noted that the Michigan Wild Turkey Hunters Association's Board of Directors unanimously voted that if a hunting and fishing license fee package goes to Legislature, they will lobby against it. The reason being that the Association had previously supported increased fees and were promised additional conservation officers that were not hired.
- He questioned why the proposed antlerless deer quotas for Osceola were as they are, and questioned why they hadn't been discussed.
- Regarding hunting age reduction, he does not believe young hunters can be recruited without higher wildlife populations on State land.

- He believes the management plans for the Pigeon River Country state forests are being ignored and that the Pigeon River Country State Forest is being compromised by the lack of management and needs to be returned to the wild.

Commissioner Garner noted that the antlerless deer quotas have all been discussed in detail during the NRC Policy Committee on Wildlife and Fisheries meetings.

Commissioner Wheatlake said that, if the DNR is going to continue to be funded but are not receiving General Fund monies, then support is needed from all groups. He suggested that Mr. Maturen go back to his association to discuss their support further. **Mr. Maturen** said that a vast majority of their members have no problem with a license fee increase, but there needs to be something tangible in return.

Chuck DeLeeuw, Michigan Traditional Bowhunters, commented as follows:

- He wants deer management units based on land ownership and habitat rather than county borders.
- He supports the proposed antlerless deer quotas and appreciates the quota reductions in areas with low deer populations.
- He recommended that antlerless permits be issued by drawing and appreciates and supports the 40 acre minimum for antlerless permits.
- He does not support the proposed one buck limit in the UP and wants the current UP hunting structure to remain the same.
- He opposes mandatory deer registration.
- He supports allowing a button buck being tagged with a buck tag, but does not support this as a requirement.

Doug Dougherty, Ruffed Grouse Society, emphasized concerns from his membership regarding clear cutting. He appreciates the DNR's management of state forests and said that the state foresters are very dedicated individuals. He encouraged aggressive regeneration of aspen and urged the DNR to expand outreach and education relative to the essential role forest management plays on social and economic issues.

Dave Borgeson, representing the Resource Stewards, said, relative to the one buck proposal, if the taking of two bucks is objectionable, the season for taking the second buck could be set for November 18. Another option is to limit bowhunters to antlerless only for the first 10 days of the season, or limit bowhunters to the four point buck tag for the first 10 days of October, or not allow baiting for the first 10 days of October, or raise the price for the second buck. He believes better deer management education needs to occur.

Chairman Charters asked why Dave Borgeson thinks that the NRC and DNR has failed in educating the public on wildlife management issues. Mr. Borgeson believes that the DNR has failed in planning, policy and discipline and said the problem should be identified before a solution is created.

Bruce Shaw, Presque Isle County, opposes State Forest Land Exchange, Gift Acceptance and Transfer of Jurisdiction, Luce and Presque Isle Counties, Land Transaction Case #20010073 because his family has utilized this property and it borders his own property.

Morris Langworthy, Osceola Parks Commission, took over Sunrise Lake State Forest Campground when the DNR closed it in 1998. They requested a long-term lease rather than a one-year lease on this park. They would like to make an investment in the park and maintain it. However, they cannot do that with a one year lease. He requested a land transfer with a reverter clause. **Mindy Koch, Resource Management Deputy,** understands the desire to make

improvements. However, there are outstanding issues. The DNR is working on a long-term arrangement and expect to resolve these issues by the issuance of the next use permit issuance. **Chairman Charters** indicated that the this issue will be discussed by the NRC Policy Committee on Land Management at a future meeting.

Harold Howard, Remus, owns and farms more than 1,440 acres. The deer are consuming his crops at approximately a 30 percent loss rate. He allows and welcomes hunters on his property.

John Ormsbee, Afton Deer Management, recommended that the antlerless quotas in Cheboygan County be cut further, but appreciates what is being proposed. Regarding the one buck proposal, he suggested that something similar should be proposed for the northern Lower Peninsula. He expressed concern with the lack of funding to manage the resources.

Bob Fisher said that, now that antlerless quotas in the southern tier of the northern Lower Peninsula rules have been changed to 40 acres or more, limit to two antlerless licenses with the phone number, he sees no need for reductions in the southern tier of the northern Lower Peninsula. He believes the combination tag should be eliminated and should allow one buck for bow season and one buck for firearm season. If the one archery tag and one buck goes through, he believes antlerless tags should not be stand-alone licenses.

Commissioner Garner agreed with Mr. Fisher's comments relative to antlerless licenses should not be stand-alone.

Leonard Schebil recommended a buck-to-doe ratio of 2-1 or better; believes the bow season starts too early in the year; does not believe youths allowed to hunt in the youth hunt are ready to hunt but suggested if the youth hunt occurs it should occur after the rut and allow antlerless only; suggested that the DNR quit lying about deer numbers; and that the DNR needs to learn to manage bucks.

Bernie Nieman, Gaylord, opposed State Forest Land Exchange, Gift Acceptance and Transfer of Jurisdiction, Luce and Presque Isle Counties, Land Transaction Case #20010073 stating it would prevent access to his privately owned four acres. (Following discussion with staff and other property owners, agreement was reached on Mr. Nieman receiving an easement.)

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The Commission took a break from 5:10 p.m. until 5:20 p.m.

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Jason Dinsmore, MUCC, presented resolutions passed at the MUCC 2006 annual convention. In brief, MUCC supports raising the price of antlerless deer licenses to the price of a buck license. MUCC also opposes the one-buck proposal by a vote of 96 yes and 256 no. Other resolutions are available through their website at: <http://www.mucc.org/convention2006.htm>.

Mr. Dinsmore introduced the new MUCC Officers:

MUCC President: Don Meixner
MUCC State-wide Vice President: Bill Krepps, Dave Mortimer, Dan Radloff
MUCC Treasurer: Carl Holsinger
MUCC Region 1 Vice President: Bill Malloch
MUCC Region 2 Vice President: Pete Demos
MUCC Region 3 Vice President: Paul Earl
MUCC Region 4 Vice President: Jim VanLoon
Directors-at-Large: Marlin Bussey, Jim Chaskey, Norma Hayes-Walkley, Jack Lehto, Bruce Levey, George Lindquist, McCormick, Reeves

Director Humphries expressed appreciation for MUCC's quick action on the antlerless deer fees.

Dean Hall, Michigan Bowhunters Association, supports antlerless quotas and fees increase; opposes the one-buck proposal for the UP, or statewide; and proposed imposing a 72 hour waiting period on tags purchased during the season. He thanked the DNR and NRC for their hard work on issue.

Robert Romaine, United Sportsmen's Alliance, supports continuation of the two buck combination license.

Don Taylor, Midland, opposed Purchase of Tax Reverted Lands under Act 123, P.A. 199, Parks and Recreation Land Acquisition, East Twin Lake Boat Access Site – Charlovoix County, Land Transaction Case #20060120. **Commissioner Wheatlake** supported this transaction saying that lakes are owned by public and thus allows the public rights to access.

Jay Mackey, Tahquamenon Sportsmens Club, commend the NRC and DNR for deer habitat purchases in the UP; expressed concern with the apprentice deer hunter Bill and urged the Governor to veto because he believes that hunter education is vital; supports the delisting of wolves; and supports increasing the deer population in the UP. He noted that his group is divided on the one buck proposal.

Commissioner Garner noted that, even if the Federal government delists wolves, that in order to hunt them the Michigan Legislature would have to deem them a game species.

Don Canfield, Tahquamenon Sportmens Club, requested a decision on supplemental feeding in the UP. **Commissioner Madigan** noted that it was slated for action later in this meeting. **Mr. Canfield** requested that hay be allowed for feeding in the UP. He noted that those in the Newberry area are split on the one buck issue. Most, however, do not want to give up the opportunity to get into the woods.

Erin McDonough, MUCC, stated that MUCC will be appealing the Hiawatha National Forest Plan because of its lack of management for forest cover types (aspen/early succession/young forests) that best provide critical habitat for abundant and healthy game species. MUCC urges the NRC to support them in this endeavor and support better management of our national forest for healthy, abundant populations of deer, woodcock, ruffed grouse, bear and other game and wildlife species that thrive in young forests. She noted that this is a critical step in protecting Michigan's hunting, fishing and conservation heritage. Following discuss, **Jim Riley, Legal Counsel to the NRC**, stated that the DNR can appeal a decision of a Federal agency.

David Schoener commented on State Forest Land Exchange, Gift Acceptance and Transfer of Jurisdiction, Luce and Presque Isle Counties, Land Transaction Case #20010073 stating he has expressed an interest in purchasing property up for exchange for nearly five years and allow him to retain access to property that has been in the family for many years. If this transaction is approved, he intends to preserve the land for wildlife habitat and in the long-term, will be put into a land conservancy. He agreed to allow prescriptive easements to the adjacent properties.

Bill Langworthy requested that something be done to increase deer populations in northern Michigan.

John Paige, Ruffed Grouse Society, supports active habitat management and clear cutting for grouse habitat.

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The Public Appearances portion of the meeting adjourned at 6:13 p.m. and the Regular Meeting of the NRC convened at 6:13 p.m.

APPROVAL OF MINUTES – JUNE 1, 2006 NATURAL RESOURCES COMMISSION MEETING

Commissioner Garner made a motion, supported by Commissioner Wheatlake for approval. Motion unanimously carried.

PURCHASE OF TAX-REVERTED LAND UNDER ACT 123, P.A. 1999
STATE FOREST TRAIL ACQUISITION
GAYLORD FOREST MANAGEMENT UNIT – CHEBOYGAN COUNTY TRAILHEAD
ALPENA T MACKINAW , AND CHEBOYGAN TO GAYLORD TRAILS
LAND TRANSACTION CASE #20060116

Commissioner Brown made a motion, supported by Commissioner Earley, for approval. Director Humphries supported approval with the understanding that staff would address the payment in lieu of taxes issue with Cheboygan County. **Roll Call was taken: Voting Yes: Commissioners Brown, Garner, Earley, Madigan and Charters. Voting No: Commissioner Wheatlake. Motion carried 5-1.**

AUTHORITY FOR SUPPLEMENTAL FEEDING DEER
WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 3 OF 2006

Commissioner Garner made a motion, supported by Commissioner Madigan, for approval. Motion unanimously carried.

HUNTING RULES FOR ALLEGAN STATE GAME AREA
WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 9 OF 2006

Commissioner Garner made a motion, supported by Commissioner Wheatlake, for approval. Motion unanimously carried.

ELK SEASON QUOTAS
WILDLIFE CONSERVATION ORDER, AMENDMENT NO 11 OF 2006

Commissioner Garner made a motion, supported by Commissioner Madigan, for approval. Motion unanimously carried.

ANTLERLESS DEER QUOTAS
WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 12 OF 2006

Commissioner Garner made a motion, supported by Commissioner Madigan, for approval.

Commissioner Madigan made a motion, supported by Commissioner Wheatlake, to amend the proposed Antlerless Deer Quotas for Ogemaw County to 300 public licenses and 700 private licenses for a total in Ogemaw County of 1000 licenses. Discussion ensued. Roll Call: Voting Yes: Commissioners Wheatlake, Earley, Madigan and Charters. Voting No: Commissioners Brown and Garner. Motion carried 4-2.

Motion to approve the Antlerless Deer Quotas, Wildlife Conservation Order, Amendment No. 12 of 2006, as amended, unanimously carried.

***Following adjournment, Director Humphries approved a recommendation to decrease the DMU -67 (Osceola County) quota for private land antlerless licenses from 3,000 to 1,500. This recommendation was a result of input from the public and discussions with the Wildlife Division staff. Section 3.105(1) authorizes the Director, in consultation with and concurrence of the

Chair or Vice Chair of the Natural Resources to make appropriate minor changes to antlerless deer quotas established in 3.105(b) to meet disease control, population goal, or other management objectives. The Chair concurred.

WATERFOWL HUNTING REGULATIONS AND HUNTING RULES
SELECTED STATE PARKS
WILDLIFE CONSERVATION ORDER, AMENDMENT NO 13 OF 2006

Commissioner Garner made a motion, supported by Commissioner Madigan, for approval. Motion unanimously carried.

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Commissioner Garner noted that, although there was little discussion on the above Wildlife Conservation Order Amendments at this meeting, that they all have been extensively discussed in the NRC Policy Committee on Wildlife and Fisheries for several months.

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ONE BUCK LIMIT IN THE UPPER PENINSULA
WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 14 OF 2006

Commissioner Madigan made a motion, supported by Commissioner Wheatlake, for approval.

Following discussion, Commissioner Madigan made a motion, supported by Commissioner Wheatlake, to amend the proposed order to a one buck bag limit for archery deer season and a one buck bag limit for firearm season in the UP. Commissioner Garner said that making this understandable to hunters would be difficult. Commissioner Earley said he does not feel the data supports this proposal. Roll Call was taken on the motion to amend. Voting Yes: Commissioners Wheatlake, Brown, Garner, Madigan and Charters. Voting No: Commissioner Earley.

On the motion to approve One Buck Limit In The Upper Peninsula Wildlife Conservation Order, Amendment No 14 Of 2006, as amended. Roll Call was taken: Voting Yes: Commissioners Wheatlake, Madigan and Charters. Voting No: Commissioners Earley, Garner and Brown. Motion failed 3-3.

Commissioner Wheatlake made a motion, supported by Commissioner Madigan, to allow one buck per season in the UP for the 2007 hunting season, for a period of one year and requiring that data be collected at the end of that hunting season to determine if the intended goal was achieved. Chairman Charters expressed concern with proposing this so far in advance and stated that he intends to reinstate discussions on this issue later this year or early in 2007 with a possibility of a motion being made in January for approval in February or March of next year. Following discussion, Commissioner Wheatlake and Madigan withdrew their motion with the understanding that this issue will be raised early in 2007.

Director action items

Director Humphries stated her intent to approval all Director's Action Items on the Agenda with one revision to change the funding source from the Land Exchange Facilitation Fund to the Michigan Natural Resources Trust Fund-State Wildlife Area Lump Sum on the following Land Transaction: Purchase of Tax Reverted Lands under Act 123, P.A. 1999, Wildlife Land Acquisition Lost Nation State Game Area – Hillsdale County, Land Transaction Case #20060108

NRC POLICY COMMITTEE ON WILDLIFE AND FISHERIES REPORT

Commissioner Garner reported that the NRC Policy Committee on Wildlife and Fisheries met earlier at 9:00 a.m. in Big Rapids. Commissioners Garner and Madigan were present for the Committee. Commissioners Brown, Charters, Earley and Wheatlake were also present. Items discussed included Boardman River Update, Ruffed Grouse Update, Habitat Conservation Plan Update and Wildlife Regulations. Discussion outcome relative to Wildlife Regulations is reflected in the motions of this meeting.

COMMISSIONER REPORTS

Commissioner Wheatlake intends to hold an NRC Policy Committee on Finance and Administration meeting in September.

Commissioner Garner participated in Lieutenant Governor Cherry's shoot and won the top prize.

Commissioner Madigan said the UP Habitat meeting held in Sault Ste. Marie went well.

Chairman Charters announced that he had been reappointed to the Michigan Natural Resources Trust Fund Board.

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The meeting adjourned at 7:00 p.m.

Approved: _____

Keith J. Charters, Chair

Rebecca A. Humphries, Director